

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MARQUES

SERIAL NO:

FILED: 23 October 2001

FOR: AIR FILTERING APPARATUS AND  
METHOD FOR USING SAME

§ GROUP ART UNIT:

§ EXAMINER:

§ DOCKET: 97007/01C1

§

§

EL 389 347 891 US	CERTIFICATE OF MAIL BY EXPRESS MAIL	October 23, 2001
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the:		
Assistant Commissioner of Patent Washington, D.C. 20231		October 23, 2001
Robert W. Strozier		Date of Signature

**PRELIMINARY AMENDMENT**

Dear Sir/Madam:

This preliminary amendment is associated with a continuation application of co-pending United States Patent Application Ser. No. 09/178,978 filed 26 October 1998.

**AMENDMENTS**

**In the Specification and Drawing**

Please amend the Specification as follows:

**Please insert:**

**CROSS REFERENCE TO RELATED APPLICATIONS**

This application is a continuation of United States Patent Application Ser. No. 09/178,978 filed 26 October 1998.

before the heading **--BACKGROUND OF THE INVENTION--**.

Page 18, line 3, after "herein" and before "." add --located in an interior volume 430 of top 402--.

**Please enter the following amendments to the drawings:**

Figure 1 has been amended to include element numbers 26 and 28.

Figure 9 has been amended to include element number 504.

Figure 6 has been amended by swapping the numbers 316 and 322.

**Please also find attached substitute drawing sheets.**

### In the Claims

#### **Canceled Claims**

Please cancel claims 1-9 and 10-20, without prejudice.

#### **Amended Claims**

9.(**amended**) A gas filtering system comprising:

- (A) a pot including: [plant growing device containing;]
  - (i) a growth medium;
  - (ii) a plant growing in the medium;
- (B) a hollow [member] apparatus including:
  - (i) a hollow bottom member having: [a first gas inlet for pulling the gas into member and through the medium];
    - (1) a first aperture; and
    - (2) a second aperture; and
  - (ii) a hollow conduit having: [a first gas outlet for discharging the gas from the member]
    - (1) a first end attached to, affixed to or integral with the second aperture of the bottom member; and
    - (2) a second end extending upward from the bottom member; and
- (C) a fan unit including:
  - (i) a third aperture detachably connected to the second end of the conduit [second gas inlet in fluid communication with the first gas outlet];
  - (ii) a fourth aperture [second gas outlet for discharging the gas into the

19 space]; and  
20 (iii) a fan [for drawing gas from second gas inlet and exhausting gas out the  
21 second gas outlet],  
22 where the apparatus is adapted to be placed inside the pot so that the first aperture is  
23 below a surface of the growth medium in the pot, the fan unit is located external to the pot  
24 and the system produces a filtered gas by passing a gas through the medium.

### New Claims

1 21. The system of claim 9, further comprising:

2 (D) an electronic unit including:

3 (i) a circuit board;

4 (ii) an on/off switch;

5 (iii) indicator lights.

1 22. The system of claim 21, further comprising:

2 (E) a moisture sensor placed subsoil below the bottom of the member.

1 23. The system of claim 9, wherein the first aperture is disposed in a bottom surface of  
2 the bottom member and the second aperture is disposed in a top or side of the bottom  
3 member.

1 24. The system of claim 9, wherein the bottom member further includes a plurality of first  
2 apertures.

1 25. The system of claim 9, wherein the bottom member comprises a torus and the first  
2 aperture is disposed in a bottom surface of the torus.

1 26. The system of claim 25, wherein the first aperture comprises a continuous slit in the

bottom surface of the torus.

27. The system of claim 9, wherein the bottom member comprises a torus and a plurality of first apertures disposed in a bottom surface of the torus.

28. A method for converting a pot into an air filtration apparatus comprising the steps of:  
placing a apparatus in the pot, where the apparatus includes a hollow bottom member having a first aperture and a second aperture and a hollow conduit having a first end detachably attached to, affixed to or integral with the second aperture of the bottom member and a second end extending above a top of the pot, where the apertures and conduit are adapted to permit a gas to flow through the apparatus;

placing a plant in the pot;

adding a growth medium to the pot to cover roots of the plant and at least a portion of the member so that the first aperture is located below a surface of the medium in the pot;  
detachably connecting a fan unit to the second end of the conduit of the apparatus; and  
pulling or pushing the gas into and through the medium, the apparatus and the fan unit to produce a filtered gas.

29. The method of claim 28, wherein the first aperture is disposed in a bottom surface of the bottom member, the conduit is disposed on a side or top of the bottom member and the gas is air.

30. The method of claim 28, wherein the bottom member further includes a plurality of first apertures disposed in a bottom surface of the bottom member.

31. The method of claim 28, wherein the bottom member comprises a torus and the first aperture is disposed in a bottom surface of the torus.

1 32. The method of claim 31, wherein the first aperture comprises a continuous slit in a  
2 bottom surface of the torus.

1 33. The method of claim 28, wherein the bottom member comprises a torus and a plurality  
2 of first apertures disposed in a bottom surface of the torus.

1 34. A gas filtering apparatus comprising:  
2 a hollow apparatus including:  
3 a hollow bottom member having:  
4 a first aperture; and  
5 a second aperture; and  
6 a hollow conduit having:  
7 a first end attached to, affixed to or integral with the second aperture of  
8 the bottom member; and  
9 a second end extending upward from the bottom member; and  
10 a fan unit including:  
11 a third aperture detachably connected to the second end of the conduit;  
12 a fourth aperture; and  
13 a fan;  
14 where the hollow apparatus is adapted to be placed inside a pot so that the first  
15 aperture is below a surface of a growth medium in the pot, the fan unit is located external to  
16 the pot and the system produces filtered air by passing a gas through the medium, the hollow  
17 apparatus and the fan unit.

1 35. The apparatus of claim 34, wherein the bottom member further includes a plurality  
2 of first apertures.

1 36. The apparatus of claim 34, wherein the bottom member comprises a torus and the first

1 aperture is disposed in a bottom surface of the torus.

1 37. The apparatus of claim 36, wherein the first aperture comprises a continuous slit in  
2 the bottom surface of the torus.

1 38. The apparatus of claim 34, wherein the bottom member comprises a torus and a  
2 plurality of first apertures disposed in a bottom surface of the torus.

1 39. An apparatus for converting a pot into an air filtration apparatus comprising:  
2 a hollow bottom member including:  
3 a first aperture; and  
4 a second aperture;  
5 a hollow conduit attached to, affixed to or integral with the second aperture and  
6 extending upward from the bottom member,  
7 where the apparatus is designed to be placed inside a pot so that the first aperture of  
8 the bottom member is below a surface of a plant growing medium filling a portion of the pot  
9 and support a gas flow through the medium and the apparatus.

1 40. The apparatus of claim 39, wherein the bottom member includes a plurality of first  
2 apertures disposed in a bottom surface of the bottom member.

1 41. The apparatus of claim 39, wherein the bottom member comprises a torus and the first  
2 aperture is disposed in a bottom surface of the torus.

1 42. The apparatus of claim 41, wherein the first aperture comprises a continuous slit.

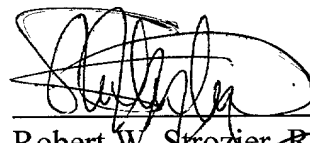
1 43. The apparatus of claim 39, wherein the bottom member comprises a torus and a  
2 plurality of first apertures disposed in a bottom surface of the torus.

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The present claim are not identically disclosed in the prior art of record including Jeffrey et al. and/or Riechmann and is not disclosed, taught or suggested in the prior art of record including Jeffrey et al. and/or Riechmann. Neither Jeffrey et al. nor Riechmann, individually or collectively, suggest an apparatus for converting a pot into an air filtration apparatus of this invention. The present apparatus includes a hollow apparatus having a bottom member and a conduit and the hollow apparatus and a detachable fan unit. The hollow apparatus is designed to be placed inside a pot with a plant and covered with growth member so that the first apertures in the bottom member are covered by medium and the conduit extends above the top of the pot. With the apparatus, a standard pot (or any device for growing a plant) can be converted into an air filtration unit. Nothing in Jeffrey et al. suggests that such as simple combination of items could produce an air filtration unit that accomplishes air filtration without all the specialized, interconnected and necessary components of the Jeffery et al. apparatus. Applicant, therefore, urges the Examiner to pass these claims onto allowance.

Date: **October 23, 2001**

Respectfully submitted,



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Attorney for Applicants

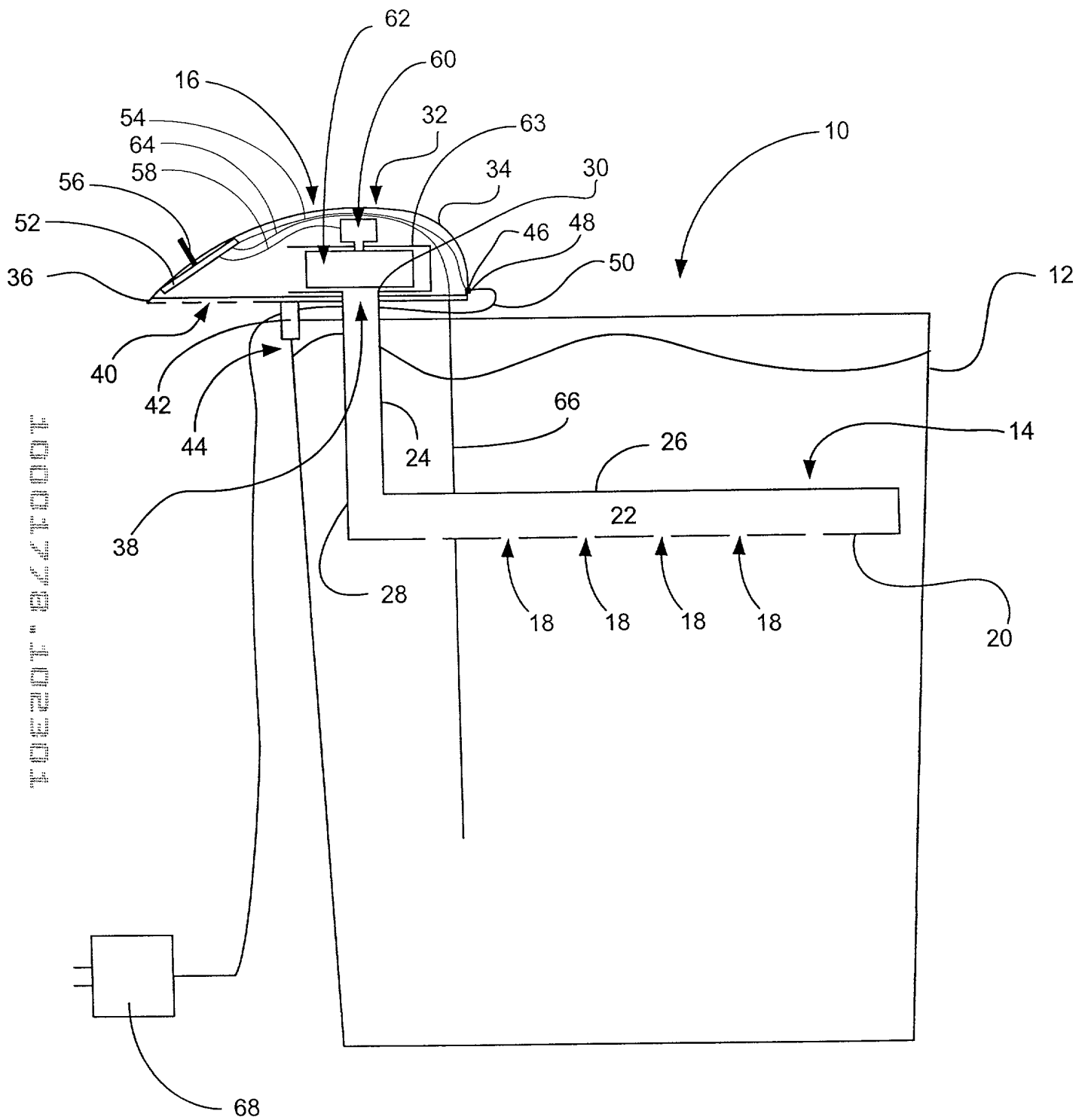
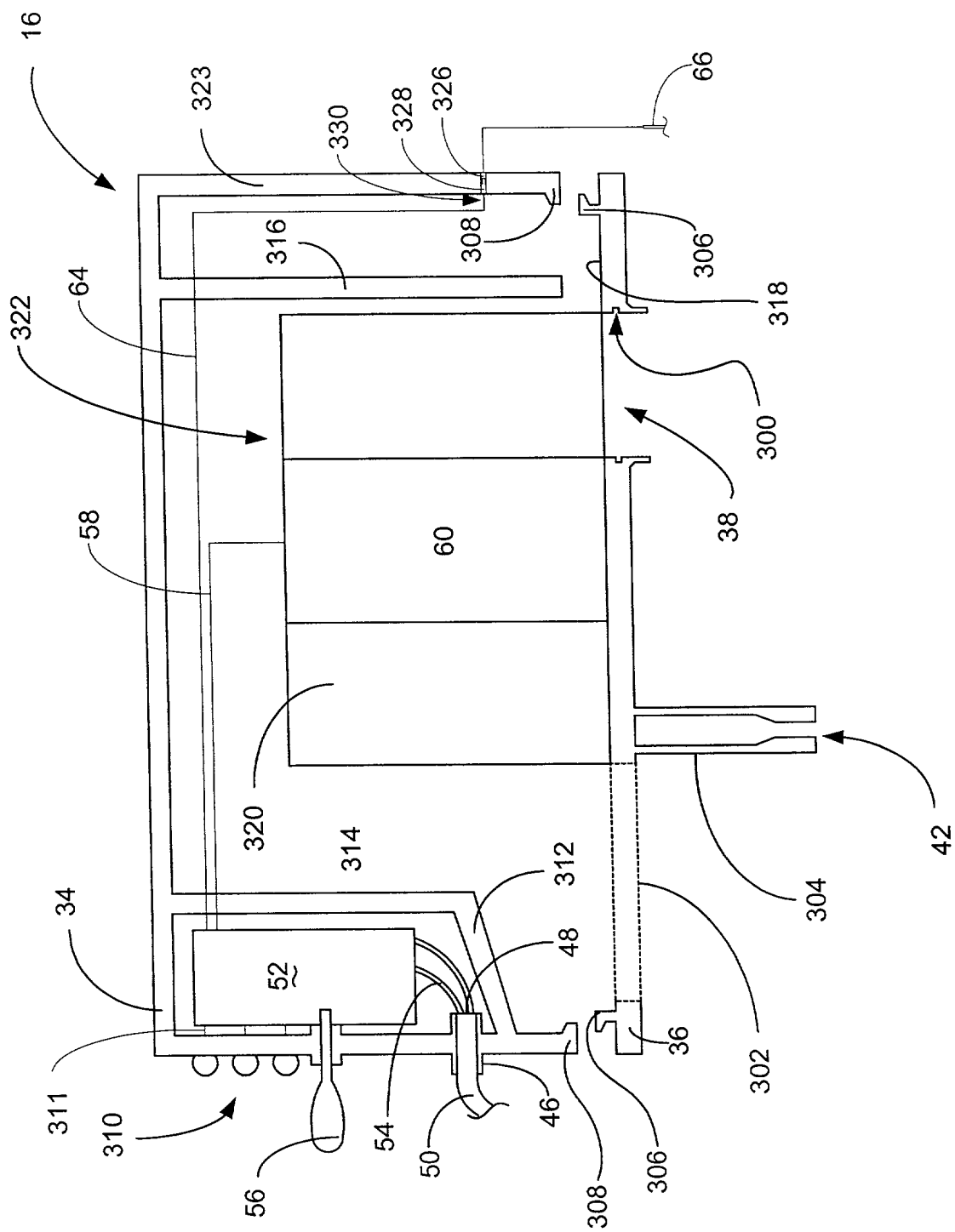


FIG. 1





6. G/E

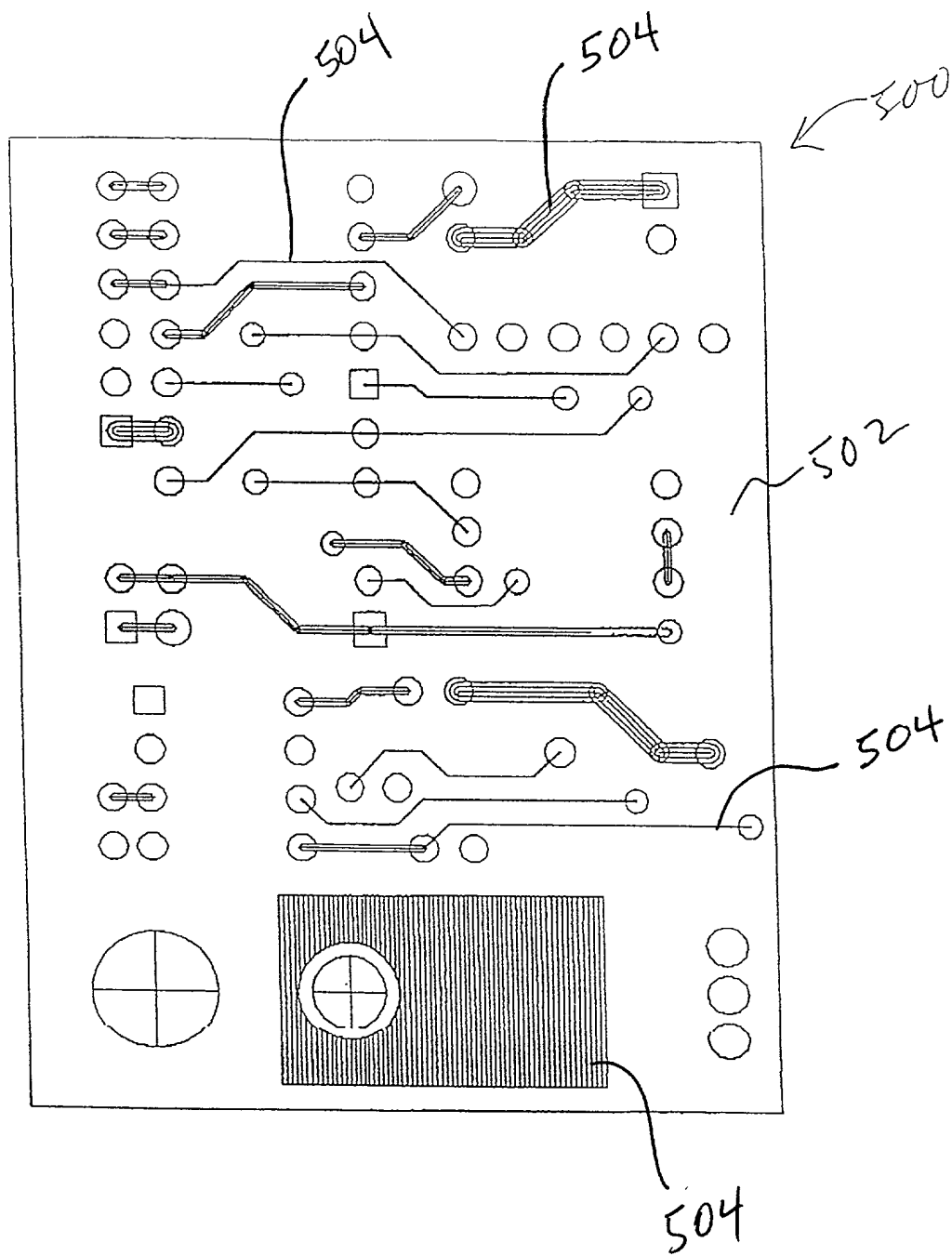


FIG. 9